S.B.CRIMINAL MISC. II BAIL PETITION NO.1962/2006.

Date :: 05.07.2006

HON'BLE MR. JUSTICE H.R. PANWAR

Mr.Surendra Surana, for the petitioner.
Mr.Ashok Upadhyay, Public Prosecutor for State.

Heard learned counsel for the petitioner as well as the learned Public Prosecutor for the State.

This is second bail application. First bail application came to be dismissed by this Court on 07.04.2006 as it was not pressed by counsel for the petitioner; the matter was at the investigation stage. However, the petitioner was granted liberty to file a fresh bail application after filing of the challan. Learned counsel has placed on record the challan papers.

I have perused the challan papers.

The contraband opium recovered from the present petitioner is much less than the commercial quantity though higher than small quantity. Petitioner is in custody for last four months.

Having considered the totality of facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and petitioner Moti Ram S/o Shri Ramaji be released on bail in CR No.29/2006, P.S.Mandar, District Sirohi provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

[H.R. PANWAR],J.

Ashwini/-